

Decisions on Petitions for Writs of Certiorari. 231 U. S.

cided December 22, 1913. Motion for leave to file petition for writ of *habeas corpus* denied. *Mr. W. I. Cruce* and *Mr. A. C. Cruce* for the petitioner. *The Solicitor General* opposing.

NO. 449. PARKER-WASHINGTON COMPANY, PLAINTIFF IN ERROR, *v.* HAROLD CRAMER, A MINOR, ETC. In error to the District Court of the United States for the Northern District of Illinois. Motion to dismiss or affirm, etc., submitted December 22, 1913. Decided January 5, 1914. *Per Curiam*. Dismissed for want of jurisdiction. *Union Trust Company of St. Louis v. Westhus*, 228 U. S. 519. *Mr. Henry R. Rathbone* and *Mr. Shepard Barclay* for the plaintiff in error. *Mr. Michael F. Gallagher* for the defendant in error.

NO. —. Original. JAMES M. COCKINS, PETITIONER, *v.* ADELAIDE MILLER BLICK AND HORACE J. MILLER. Submitted December 22, 1913. Decided January 5, 1914. Petition for a writ of error denied. *Mr. Samuel S. Mehard* and *Mr. Harvey A. Miller* for the petitioner. *Mr. John S. Ferguson* and *Mr. Joseph N. Ulman* for the respondents.

Decisions on Petitions for Writs of Certiorari from October 13, 1913, to January 5, 1914.

NO. 709. THE UNITED STATES, PETITIONER, *v.* NIPISING MINES COMPANY. October 20, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted. *The Attorney*

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General, The Solicitor General and Mr. Assistant Attorney General Harr for the petitioner. *Mr. George F. Hurd* for the respondent.

No. 711. JAMES SIM, PETITIONER, *v.* WILLIAM EDENBORN; and

No. 712. THOMAS P. ALDER, PETITIONER, *v.* WILLIAM EDENBORN. October 20, 1913. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted. *Mr. Theron G. Strong* for the petitioners. *Mr. Martin W. Littleton* for the respondent.

No. 578. PETER W. REHERD, RECEIVER, ETC., PETITIONER, *v.* THE COAL & IRON RAILWAY COMPANY. October 20, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Fred O. Blue* for the petitioner. *Mr. B. M. Ambler* for the respondent.

No. 617. TOLEDO, ST. LOUIS & WESTERN RAILROAD COMPANY, PETITIONER, *v.* ANNA PERENCHIO. October 20, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Clarence Brown* and *Mr. C. E. Pope* for the petitioner. *Mr. John L. Flannigan* for the respondent.

No. 636. CADILLAC MOTOR CAR CO., PETITIONER, *v.* GEORGE W. RAY, JUDGE, ETC. October 20, 1913. Peti-

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tion for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Otto Kirchner* for the petitioner. *Mr. Andrew J. Nellis* for the respondent.

No. 694. ALLEN H. WALKER, PETITIONER, *v.* IOWA CENTRAL RAILWAY COMPANY ET AL. October 20, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Frank W. Hackett* for the petitioner. *Mr. W. H. Bremner* for the respondents.

No. 695. PACIFIC LIVE STOCK COMPANY, PETITIONER, *v.* SILVIES RIVER IRRIGATION COMPANY ET AL. October 20, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Edward F. Treadwell*, *Mr. Wirt Minor*, *Mr. Aldis B. Browne*, *Mr. Alexander Britton* and *Mr. Evans Browne* for the petitioner. No appearance for respondents.

No. 698. FRANCIS P. B. SANDS, PETITIONER, *v.* HENRIETTA S. ANDERSON. October 20, 1913. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Francis P. B. Sands* for the petitioner. *Mr. Frank J. Hogan* for the respondent.

No. 702. HENRY BAETZ, PETITIONER, *v.* SCHOENLAUKUCKUCK TRUNK TOP & VENEER COMPANY ET AL. October 20, 1913. Petition for a writ of certiorari to the

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United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Emil Starek* for the petitioner. *Mr. Charles Howson* for the respondents.

NO. 703. LIBERTY BELL GOLD MINING COMPANY, PETITIONER, *v.* THE SMUGGLER UNION MINING COMPANY. October 20, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Moorfield Storey* for the petitioner. *Mr. Joel F. Vaile* and *Mr. Henry McAllister, Jr.*, for the respondent.

NO. 705. DAVID ALLEGAR, PETITIONER, *v.* AMERICAN CAR & FOUNDRY COMPANY. October 20, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. Frank W. Hackett* and *Mr. Paul J. Sherwood* for the petitioner. *Mr. Fred Ikeler* and *Mr. C. E. Sprout* for the respondent.

NO. 706. CHARLES A. DAVEY, PETITIONER, *v.* THE UNITED STATES. October 20, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. Ward H. Watson* for the petitioner. *The Attorney General* and *The Solicitor General* for the respondent.

NO. 716. MILLARD F. FIELD, PETITIONER, *v.* HOWARD D. COLMAN. October 20, 1913. Petition for a writ of

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certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Melville Church* for the petitioner. *Mr. Lincoln B. Smith* for the respondent.

NO. 718. WILLIAM W. NILES, ADMINISTRATOR, ETC., PETITIONER, *v.* THE LUDLOW VALVE MANUFACTURING COMPANY. October 20, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Hartwell Cabell* and *Mr. William W. Niles* for the petitioner. *Mr. Samuel Untermyer*, *Mr. Louis Marshall* and *Mr. Abraham Benedict* for the respondent.

NO. 719. RIVERSIDE HEIGHTS ORANGE GROWERS' ASSOCIATION ET AL., PETITIONERS, *v.* FRED STEBLER. October 20, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. N. A. Acker* and *Mr. J. J. Scrivner* for the petitioners. *Mr. Frederick S. Lyon* and *Mr. William W. Dodge* for the respondent.

NO. 734. CHEROKEE CANNING EXTRACT COMPANY ET AL., PETITIONERS, *v.* GEORGE H. LEONARD ET AL. October 20, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Thomas S. Rollins* and *Mr. J. H. Merrimon* for the petitioners. *Mr. Alfred S. Barnard* for the respondents.

NO. 753. LUMBER UNDERWRITERS OF NEW YORK ET AL., PETITIONERS, *v.* O. C. RIFE ET AL. October 27, 1913.

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Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted. *Mr. Dent Minor* and *Mr. R. Lee Bartels* for the petitioners. No appearance for respondents.

No. 761. *D. J. McDONALD ET AL., PETITIONERS, v. J. W. PLESS ET AL.* October 27, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted. *Mr. Julius C. Martin, Mr. George H. Wright* and *Mr. Thomas S. Rollins* for the petitioners. *Mr. E. J. Justice* for the respondents.

No. 497. *ST. PAUL FIRE & MARINE INSURANCE COMPANY, PETITIONER, v. HACHIOYEMON MITSUI ET AL.* October 27, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. William Denman* for the petitioner. *Mr. Howard S. Harrington* for the respondents.

No. 594. *THE CITY OF ST. LOUIS, PETITIONER, v. THE NATIONAL SURETY COMPANY.* October 27, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Wm. E. Baird* for the petitioner. *Mr. W. C. Marshall* for the respondent.

No. 602. *NORFOLK & WESTERN RAILWAY COMPANY, PETITIONER, v. CORA E. HAUSER, ADMINISTRATRIX, ETC.*

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October 27, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Theodore W. Reath* for the petitioner. *Mr. Lindsay Patterson* for the respondent.

No. 715. THE CITY OF ST. LOUIS, PETITIONER, *v.* THE CHICAGO HOUSE WRECKING COMPANY. October 27, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Wm. E. Baird* for the petitioner. No appearance for respondent.

No. 723. PHILADELPHIA, BALTIMORE & WASHINGTON RAILROAD COMPANY, PETITIONER, *v.* SOUTHERN TRANSPORTATION COMPANY. October 27, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Shirley Carter* for the petitioner. No appearance for respondent.

No. 724. THE PACIFIC COAST STEAMSHIP COMPANY, LTD., CLAIMANT, ETC., PETITIONER, *v.* M. ANDERSON; and

No. 725. THE PACIFIC COAST COMPANY, CLAIMANT, ETC., PETITIONER, *v.* N. JORDAN. October 27, 1913. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. George W. Towle* for the petitioners. *Mr. Wm. Denman* for the respondents.

No. 748. J. S. HARRISON ET AL., PETITIONERS, *v.* ELIZABETH FOLEY. October 27, 1913. Petition for a

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writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. W. S. Cowherd* and *Mr. Frederic D. McKenney* for the petitioner. *Mr. Wm. F. Guthrie* for the respondent.

No. 754. GRAND TRUNK WESTERN RAILWAY COMPANY, PETITIONER, *v.* GERTRUDE GILFIN, ADMINISTRATRIX. October 27, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr. George W. Kretzinger* and *Mr. George W. Kretzinger, Jr.*, for the petitioner. *Mr. Jas. C. McShane* for the respondent.

No. 756. FIRST NATIONAL BANK OF DEXTER, NEW YORK, PETITIONER, *v.* EDMUND K. FOX. October 27, 1913. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. A. S. Worthington*, *Mr. Chas. L. Frailey* and *Mr. Henry F. Woodard* for the petitioner. *Mr. J. J. Darlington* for the respondent.

No. 757. BENJAMIN F. EDWARDS, PETITIONER, *v.* EDMUND K. FOX. October 27, 1913. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. W. W. Millan* for the petitioner. *Mr. J. J. Darlington* for the respondent.

No. 575. THE GLENWOOD LIGHT & WATER COMPANY, PETITIONER, *v.* THE TOWN OF GLENWOOD SPRINGS. Octo-

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ber 27, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. W. P. Malburn, Mr. W. H. Bryant and Mr. George L. Nye* for the petitioner. *Mr. John A. Rush* for the respondent.

No. 764. ELLEN CONNOLLY, ADMINISTRATRIX, ETC., PETITIONER, *v. PENNSYLVANIA RAILROAD COMPANY*. November 3, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted. *Mr. Francis Rawle* for the petitioner. *Mr. J. Hampton Barnes and Mr. Frederic D. McKenney* for the respondent.

No. 766. JOHN A. S. BROWN ET AL., ETC., PETITIONERS, *v. AUSTIN B. FLETCHER, ETC., ET AL.* November 3, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted. *Mr. Chas. H. Burr* for the petitioners. *Mr. Wm. P. S. Melvin* for the respondents.

No. 732. EMIEL T. PALMENBERG ET AL., PETITIONERS, *v. W. S. BUTLER & COMPANY*; and

No. 733. MORRIS BLACKSTONE ET AL., PETITIONERS, *v. EVERYBODY'S STORE, INCORPORATED, ET AL.* November 3, 1913. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit denied. *Mr. Harvey H. Pratt* for the petitioners. *Mr. Chas. F. Choate, Jr., Mr. Frederick H. Nash and Mr. Boyd B. Jones* for the respondents.

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No. 736. RUTH KRAMER, PETITIONER, *v.* E. W. KRAMER. November 3, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. Augustus O. Bacon* for the petitioner. *Mr. Edgar Watkins* for the respondent.

No. 762. AMERICAN BELL TELEPHONE COMPANY, PETITIONER, *v.* WESTERN UNION TELEGRAPH COMPANY. November 10, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied. *Mr. Chas. H. Swan, Mr. John C. Gray* and *Mr. Frederick P. Fish* for the petitioner. *Mr. J. H. Benton* and *Mr. Rush Taggart* for the respondent.

No. 585. BELVA A. LOCKWOOD, PETITIONER, *v.* FRANK M. RUCKER, ADMINISTRATOR, ETC. November 10, 1913. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Isaac R. Hitt* and *Mr. Richard P. Evans* for the petitioner. No appearance for the respondent.

No. 768. CITY WATER COMPANY OF CHILLICOTHE, PETITIONER, *v.* THE CITY OF CHILLICOTHE. November 10, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. *Mr. Jas. H. Harkless, Mr. Clifford Histed* and *Mr. Morgan M. Mann* for the petitioner. *Mr. Joseph J. Russell* for the respondent.

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No. 769. ANNIE F. CRAIG, ADMINISTRATRIX, ETC., PETITIONER, *v.* EMILY E. PARISH, EXECUTRIX, ETC. November 10, 1913. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Frank W. Hackett* and *Mr. Chauncey Hackett* for the petitioner. *Mr. Holmes Conrad* and *Mr. Leigh Robinson* for the respondent.

No. 770. THE CARBORUNDUM COMPANY, PETITIONER, *v.* THE ELECTRIC SMELTING & ALUMINUM COMPANY. November 10, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *Mr. Philander C. Knox* for the petitioner. *Mr. Francis C. McMillin* for the respondent.

No. 720. SAMUEL B. ARCHER ET AL., PETITIONERS, *v.* IMPERIAL MACHINE COMPANY. November 17, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied. *Mr. Samuel B. Archer, pro se.* *Mr. Ernest Wilkinson* for the respondent.

No. 779. THE ILLINOIS CENTRAL RAILROAD COMPANY, PETITIONER, *v.* THE UNION RAILWAY COMPANY. November 17, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Dent Minor, Mr. Chas. N. Burch* and *Mr. Blewett Lee* for the petitioner. No appearance for the respondent.

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NO. 618. STREET & SMITH, A COPARTNERSHIP, ETC., PETITIONERS, *v.* THE ATLAS MANUFACTURING COMPANY ET AL. November 17, 1913. Petition for a writ of certiorari herein denied. *Mr. Hugh K. Wagner* for the petitioners. *Mr. Jas. Love Hopkins* for the respondents.

NO. 780. ELIZABETH S. RUTLAND, PETITIONER, *v.* ST. LOUIS & SAN FRANCISCO RAILROAD COMPANY. December 8, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr. Caruthers Ewing* for the petitioner. No appearance for the respondent.

NO. 783. SARA GYE, WIDOW OF JOHN GYE, PETITIONER, *v.* THE HAMBURG AMERICANISCHE PACKETSAHRT AKTIEM GESELSCHAFT. December 8, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied. *Mr. H. Garland Dupre*, *Mr. Chas. F. Consaul* and *Miss I. M. Moyers* for the petitioner. No appearance for the respondent.

NO. 784. JOHN BARTON MILLER, PETITIONER, *v.* THE UNITED STATES. December 8, 1913. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied. *Mr. Henry E. Davis* and *Mr. John E. Laskey* for the petitioner. *The Attorney General*, *The Solicitor General* and *Mr. Clarence R. Wilson* for the respondent.

NO. 808. HERMAN C. H. HEROLD, COLLECTOR, PETITIONER, *v.* THE MUTUAL BENEFIT LIFE INSURANCE COM-

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PANY. December 15, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied. *The Attorney General* and *The Solicitor General* for the petitioner. *Mr. John O. H. Pitney* and *Mr. John R. Hardin* for the respondent.

NO. 813. HAMILTON-BROWN SHOE COMPANY, PETITIONER, *v.* THE WOLF BROTHERS & COMPANY. December 22, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted. *Mr. H. S. Priest*, *Mr. Morton Jourdan*, *Mr. Luke E. Hart* and *Mr. Joseph W. Bailey* for the petitioner. *Mr. Lawrence Maxwell*, *Mr. Percy Werner* and *Mr. Simeon M. Johnson* for the respondent.

NO. 740. HANOVER STAR MILLING COMPANY, PETITIONER, *v.* D. D. METCALF. January 5, 1914. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted. *Mr. Henry Fitts* for the petitioner. *Mr. Edward Everett Longan* and *Mr. J. F. Gilster* for the respondent.

NO. 807. THE CITY OF NEW YORK, PETITIONER, *v.* WILLIAM SAGE, JR. January 5, 1914. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted. *Mr. Louis C. White* for the petitioner. *Mr. Edward A. Alexander* for the respondent.

NO. 816. ANNIE MYERS, PETITIONER, *v.* PITTSBURGH COAL COMPANY. January 5, 1914. Petition for a writ of

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certiorari to the United States Circuit Court of Appeals for the Third Circuit granted. *Mr. Edward C. Goodwin* for the petitioner. *Mr. Chas. Marshall Johnston* for the respondent.

No. 795. CHARLES S. INTERMELA, ETC., PETITIONER, *v.* DAVID PERKINS. January 5, 1914. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied. *Mr. Walter S. Penfield* for the petitioner. *Mr. Chas. E. Shepard* for the respondent.

CASES DISPOSED OF WITHOUT CONSIDERATION
BY THE COURT, FROM OCTOBER 13, 1913, TO
JANUARY 5, 1914.

No. 145. UNION PACIFIC RAILROAD COMPANY, APPELLANT, *v.* THE CITY OF GREELEY ET AL. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. October 14, 1913. Dismissed with costs, on motion of *Mr. A. A. Hoehling, Jr.*, for the appellant. *Mr. Maxwell Evarts* and *Mr. A. A. Hoehling, Jr.*, for the appellant. *Mr. John M. Thurston*, *Mr. E. E. Whitted*, *Mr. W. S. Summers*, *Mr. Joseph C. Helm*, *Mr. W. H. Bryant* and *Mr. Joseph C. Ewing* for the appellees.

No. 31. NORTHWESTERN PACIFIC RAILROAD COMPANY, PLAINTIFFS IN ERROR, *v.* THE UNITED STATES. In error to the District Court of the United States for the Northern District of California. October 14, 1913. Dismissed on motion of *Mr. Evans Browne*, in behalf of counsel for the